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SAO 199A (Rev. 6/97) Order Setting Conditions of Release

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U. S. DISTRICT COURT - DE
MISC. CASE # 06-35

UNITED STATES DISTRICT COURT

SOUTHERN

District of

TEXAS

United States of America

V.

Ricardo Vazquez

Defendant

ORDER SETTING CONDITIONS
OF RELEASE
OF MATERIAL WITNESS

Case Number: L-06-MJ-92-01

RE: L-06-MJ-92-99 (Material Witness Docket No.)

Maria Guadalupe Lopez-Diaz (Material Witness)

IT IS ORDERED that the release of the material witness is subject to the following conditions:

- (1) The material witness shall not commit any offense in violation of federal, state or local law while on release in this
- (2) The material witness shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The material witness shall appear at all proceedings as required.

The defendant shall appear at (if blank, to be notified) United States District Court, at
Place1400 Victoria St., Laredo, TX on WHEN NOTIFIED
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the material witness be released provided that:

- (☒) (4) The material witness promises to appear at all proceedings as required.
- (☒) (5) The material witness executes an unsecured bond binding the defendant to pay the United States the sum of
----- FIVE THOUSAND DOLLARS 00/100 ----- dollars (\$ 5,000.00 -----)
in the event of a failure to appear as required.

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

Additional Conditions of Release

RE: L-06-MJ-92-99

Maria Guadalupe Lopez-Diaz (Material Witness)

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the material witness, IT IS FURTHER ORDERED that the release of the material witness is subject to the conditions marked below:

(✓) (6) The material witness is placed in the custody of:

(Name of person or organization) Miguel Lopez-Perez

(Address) _____

(City and state) Parkesburg, Pennsylvania

(Tel. No.) _____

who agrees (a) to supervise the material witness in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the material witness at all scheduled court proceedings, and (c) to notify the court immediately in the event the material witness violates any conditions of release or disappears.

Signed: MIGUEL LOPEZ PEREZ 2-23-06
Custodian or Proxy Date

(✓) (7) The material witness shall:

(✓) (a) report to the PRETRIAL SERVICES OFFICE, Laredo, TX UPON RELEASE and as instructed upon reaching destination, telephone number 956-790-1733, not later than UPON RELEASE

(✓) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: (Five Thousand Dollars 00/100) --- (Unsecured by collateral)-----

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

(✓) (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

() (g) surrender any passport to: _____

() (h) obtain no passport.

(✓) (i) abide by the following restrictions on personal association, place of abode, or travel:

RESTRICTED TRAVEL TO BE ARRANGED BY U. S. PRETRIAL SERVICES. NO TRAVEL TO MEXICO.

() (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____

() (l) return to custody each (week) day as of _____ o'clock after being released each (week) day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

() (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

() (o) refrain from () any () excessive use of alcohol.

() (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

() (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will or () will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

() (i) Curfew. You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

() (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

() (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

() (u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(✓) (v) Immediate placement in a halfway house in Laredo, TX upon the witness' release.

(✓) (w) Once documents are secured with INS and Social Security Administration the Material Witness is to reside with Miguel Lopez-Perez and obtain employment until released as a witness in the case of USA vs Ricardo Vazquez.

() (x) _____

Advice of Penalties and Sanctions**TO THE MATERIAL WITNESS:** Maria Guadalupe Lopez-Diaz L-06-MJ-92-99**YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:**

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant/Material Witness

I acknowledge that I am the defendant/material witness in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Witness

Witness: **Maria Guadalupe Lopez-Diaz**
(Temporary housing under supervision of Pretrial/Laredo, TX)

AddressParkesburg, Pennsylvania

City and State

Telephone**Directions to United States Marshal**

- (☒) The defendant/material witness is **ORDERED** released after processing.
- (☐) The United States marshal is **ORDERED** to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: _____

Signature of Judicial Officer

ADRIANA ARCE-FLORES,
United States Magistrate Judge

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT

SOUTHERN

District of

TEXAS

UNITED STATES OF AMERICA

V.

Ricardo Vazquez

Defendant

APPEARANCE BOND OF WITNESS

RE: L-06-MJ-92-99

Maria Guadalupe Lopez-Diaz

CASE NUMBER: L-06-MJ-92-01

Non-surety: ☐ I, the undersigned defendant acknowledge that I and my ...Surety: ☒ We, the undersigned, jointly and severally acknowledge that we and our ...personal representatives are bound to pay to the United States of America the sum of \$ 5,000.00 dollars (\$ Five Thousand Dollars 00/100 unsecured).The condition of this bond is that Maria Guadalupe Lopez-Diaz is to appear to testify in
Name of Witness

the above entitled case before the U.S. District Court for the SOUTHERN
District of TEXAS at LAREDO, TX, and at such other places as
the witness may be required to appear, in accordance with any and all orders and directions relating to the witness' appearance
in the above entitled matter as may be given or issued by this court or any other United States district court for which the
witness may be required to appear or the cause transferred and is not at any time while so appearing to be absent or depart
from the court without leave and if the witness appears and attends as ordered, then this bond is to be void. If the witness fails
to perform this condition, payment of the amount of the bond shall be due forthwith. If the bond is forfeited and the forfeiture
is not set aside or remitted, judgment may be entered, upon motion in the United States district court having jurisdiction over
the case, against each debtor jointly and severally for the amount above stated together with interest and costs, and execution
may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

This bond is signed on _____ at Laredo, Texas
Date Place

Witness. Maria Guadalupe Lopez-Diaz Address (Temporary housing under supervision of Pretrial/Laredo)
, Parkesburg, Pennsylvania
Tel: _____
Surety. MIGUEL LOPEZ PEREZ Address , Parkesburg, Pennsylvania
Miguel Lopez-Perez Tel: _____
Surety. _____ Address _____

Signed and acknowledged before me on 2-23-06
DateBy Mark A. Hart 2-23-06
Judicial Officer/Clerk - Wilmington, Delaware (Date)

Judicial Officer/Clerk - ef

Approved: _____
ADRIANA ARCE-FLORES,
United States Magistrate Judge